

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION	)	
OF IDAHO POWER COMPANY FOR	)	CASE NO. IPC-E-04-21
APPROVAL OF THE PURCHASE OF NON-	)	
FIRM ENERGY BETWEEN IDAHO POWER	)	
COMPANY AND McCOLLUM	)	ORDER NO. 29607
ENTERPRISES, LLC.	)	
	)	

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On September 22, 2004, Idaho Power Company (Idaho Power; Company) filed an Application in Case No. IPC-E-04-21 requesting Commission approval of a tariff Schedule 86 Non-firm Energy Purchase Agreement (Agreement). A copy of the September 22, 2004 Agreement between Idaho Power and McCollum Enterprises accompanied the Application.

McCollum has been selling energy to Idaho Power under a Firm Energy Sales Agreement dated April 12, 1984. The operation date of the project under the previous agreement was September 30, 1984 with a term of 20 years. The project is a qualified small power production facility (QF) under the applicable provision of the Public Utility Regulatory Policies Act of 1978 (PURPA). McCollum wishes to continue to sell energy to Idaho Power under a Schedule 86, Non-Firm Energy Sales Agreement. Idaho Power requests an effective date for the Agreement to be October 1, 2004, as the prior approved agreement expired on September 30, 2004.

### COMMISSION FINDINGS

The Commission has reviewed the September 22, 2004 Idaho Power/McCollum Enterprises Schedule 86 Non-Firm Energy Purchase Agreement. We find that the Agreement, as signed and submitted by the parties, contains non-firm energy rates in conformity with posted tariffs and applicable Commission Orders. We find it reasonable to allow payments made under the Agreement as prudently incurred expenses for ratemaking expenses. We also find that it is appropriate to approve the Agreement without further notice.

### CONCLUSION OF LAW

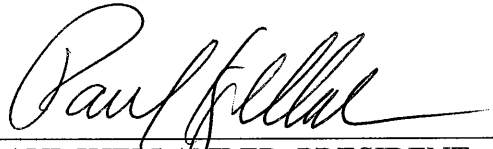
The Idaho Public Utilities Commission has jurisdiction over Idaho Power Company, an electric utility, pursuant to the authority and power granted it under Title 61 of the Idaho Code and the Public Utility Regulatory Policies Act of 1978 (PURPA).

The Commission has the authority under PURPA and the implementing regulations of the Federal Energy Regulatory Commission (FERC) to set avoided costs, to order electric utilities to enter into fixed term obligations for the purchase of energy from qualified facilities, and to implement FERC rules.

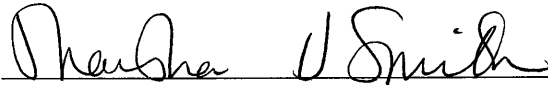
**ORDER**

IT IS HEREBY ORDERED and the Commission does hereby approve the September 22, 2004, Idaho Power/McCollum Enterprises, LLC, Schedule 86 Non-Firm Energy Purchase Agreement, as well as the October 1, 2004 effective date of that Agreement.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 6<sup>th</sup> day of October 2004.



PAUL KJELLANDER, PRESIDENT



MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell  
Commission Secretary

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